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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA
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8 UNITED STATES OF AMERICA,) 3:06-cr-00073-HDM-RAM
9 Respondent/Plaintiff,) 3:16-cv-00073-HDM
10) ORDER
11 vs.)
12 WILLIAM EDWARD ARMSTRONG,)
13 Petitioner/Defendant.)
14 _____)

15 The court improvidently granted the petitioner/defendant's motion
16 for voluntary dismissal prior to the deadline for the government to
17 file a response to the motion. Accordingly, the order entered on
18 April 21, 2017 (ECF No. 49) is vacated and the court will consider the
19 merits of the petitioner/defendant's motion for voluntary dismissal
20 (ECF No. 48) after the period for the United States to file any reply
21 to the defendant's response to the motion to reconsider (ECF No. 53)
22 has expired and the § 2255 petition (ECF No. 32) which is fully
23 briefed.

24 IT IS SO ORDERED.

25 DATED: This 27th day of April, 2017.

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28 UNITED STATES DISTRICT JUDGE